

EXHIBIT A

23-C-03911-S6

6/7/2023 8:20 PM

TIANA P. GARNER, CLERK

IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

CIVIL ACTION

NUMBER: _____

PLAINTIFF

23-C-03911-S6

VS.

DEFENDANT

SUMMONS

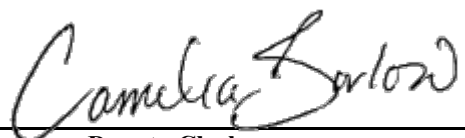
TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This _____ day of _____, 20____.
8th day of June, 2023

Tiana P. Garner
Clerk of State Court

By  _____
Deputy Clerk

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

**IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA**

ANITRICE ANDERSON,

Plaintiff,

v.

SPEEDWAY LLC, MARATHON
PETROLEUM CORPORATION LP, and
JOHN DOE(S) 1-2,

Defendants.

CIVIL ACTION FILE

NO.: _____

23-C-03911-S6

RENEWAL COMPLAINT FOR DAMAGES AND DEMAND FOR JURY TRIAL

COMES NOW Plaintiff, Anitrice Anderson, (hereinafter "Plaintiff"), by and through her Counsel of Record, and shows pursuant to O.C.G.A. § 9-2-61 that this case arises as a refiled case against Speedway LLC, Marathon Petroleum Corporation LP, and John Doe(s) 1-2 (hereinafter collectively referred to as "Defendants"). The original action, State Court of Gwinnet County, Georgia, Civil Action File Number 21-C-06743-S6, was voluntarily dismissed without prejudice by Plaintiff on December 9, 2022. There are no costs due or owed in the original action. This renewal action arises out of the same transaction or occurrence as the original action. The privilege of renewal has not previously been exercised. In this renewal Complaint, Plaintiff states and alleges the following:

PARTIES, JURISDICTION AND VENUE

1.

This Court has jurisdiction pursuant to O.C.G.A. § 9-10-91.

2.

At all times material herein, Plaintiff, Anitrice Anderson, was a resident of the State of Georgia and subject to the jurisdiction and venue of this Honorable Court.

3.

At all times material herein, Defendant Speedway LLC, was the owner and operator in possession and control of the gas station located at 3120 Sugarloaf Pkwy, Lawrenceville, Georgia, 30045, store number 4102. Defendant Speedway, LLC may be served with process through its registered agent, The Corporation Company, 106 Colony Park Drive Ste. 800-B, Cumming, GA 30040-2794.

4.

Defendant Speedway LLC is a wholly owned subsidiary of Defendant Marathon Petroleum Corporation, who may be served with process through its registered agent, CT CORPORATION SYSTEM, 289 S Culver St., Lawrenceville, GA 30046-4805.

5.

Defendants are subject to the jurisdiction of this court and venue is proper in this court

BACKGROUND

6.

On or about September 16, 2019, at approximately 9:35 p.m., Plaintiff visited the Speedway gas station in Lawrenceville, Georgia, as an invitee, for the purpose of purchasing gasoline therein.

7.

Plaintiff attempted to fill up gas at pump #2. She lifted the nozzle and inserted it into her car's gas tank opening. However, after she pressed the trigger on the nozzle's handle to pump the gas, the trigger mechanism stiffened and became locked in place, pinning her left index finger underneath the hold-open metal latch. Plaintiff immediately tried to remove her finger from

underneath the latch, but she was unable to. After much difficulty she was able to lift open the metal latch using her other hand, finally freeing her finger.

8.

The metal latch crushed and pinched Plaintiff's index finger with such force, that it dislocated her finger. Plaintiff immediately felt a throbbing and burning sensation in her finger that shot up her left hand. The Speedway's Manager of Duty came to her aid.

NEGLIGENCE

9.

Plaintiff re-alleges and incorporates herein by reference paragraphs 1-8 above as if restated herein.

10.

At all times material herein, the Defendants owed a legal duty under O.C.G.A. § 51-3-1 of ordinary care to invitees to inspect and keep the premises and approaches in a safe condition.

11.

Defendants knew or should have known, in the exercise of reasonable care, of the dangerous condition created by the faulty and defective nozzle trigger at gas pump #2.

12.

At all relevant times, the Defendants had actual or constructive knowledge of the hazardous condition and could have prevented Plaintiff's injuries.

13.

The negligent actions/omissions of the Defendants proximately caused the injuries and damages to Plaintiff.

14.

But for Defendants' negligence, Plaintiff would not have suffered serious injury and damages.

15.

As a direct and proximate result of Defendants' negligent acts and omissions, Plaintiff suffered serious injuries to her body, which required her to obtain medical treatment and incur medical expenses. Plaintiff sustained severe and permanent injuries to her left index finger, which required extensive medical treatment, including undergoing surgery, which left Plaintiff unable to walk.

16.

As a result of the Defendants' negligence, Plaintiff incurred reasonable, necessary, and continuing medical expenses from the resulting injuries, and will continue to incur expenses in the future, in an amount to be proven at trial and is therefore entitled to recover compensatory, general, special, incidental, consequential, and/or all other damages allowed under Georgia law from Defendant for her mental and physical pain and suffering, medical expenses, future medical expenses, lost wages, and future lost wages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for a judgement to be awarded to her and against Defendants for the following:

- a) That Process and Summons issue, as provided by law, requiring Defendants to appear and answer Plaintiff's Complaint;
- b) That service be had upon Defendants as provided by law;

- c) That Plaintiff recover the full value of her past and present medical expenses and future lost wages in an amount to be proven at trial;
- d) That Plaintiff be awarded all general, special, compensatory, and economic damages, and attorneys' fees and expenses, and other allowable damages in accordance with the enlightened conscience of an impartial jury from Defendants and as permitted under Georgia Law;
- e) That Plaintiff have a trial by jury as to all issues; and
- f) That Plaintiff recover such other relief as this Court deems just and appropriate under the circumstances.

Respectfully submitted this 7th day of June 2023.

LAW OFFICE OF CAMERON
HAWKINS, LLC

/s/ Cameron Hawkins
Cameron D. Hawkins
Georgia Bar No. 250504
Mia Fulks
Georgia Bar No. 279902
Ananya Roy
Georgia Bar No. 670660

1231 Booth St NW
Atlanta, GA 30318
T: (678) 921-4225
F: (678) 921-4322
chawkins@chawkinslaw.com
mfulks@chawkinslaw.com
aroy@chawkinslaw.com

23-C-03911-S6

6/7/2023 8:20 PM

TIANA P. GARNER, CLERK

General Civil and Domestic Relations Case Filing Information Form

☐ Superior or ☒ State Court of Gwinnett County

For Clerk Use Only

Date Filed _____
MM-DD-YYYYCase Number 23-C-03911-S6

Plaintiff(s)

Anderson Anitrice

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Plaintiff's Attorney Cameron Hawkins

Defendant(s)

Speedway LLC

Last First Middle I. Suffix Prefix

Marathon Petroleum Corporation LP

Last First Middle I. Suffix Prefix

John Doe(s) 1-2

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Bar Number 250504 Self-Represented ☐

Check One Case Type in One Box

General Civil Cases

- ☐ Automobile Tort
- ☐ Civil Appeal
- ☐ Contract
- ☐ Garnishment
- ☐ General Tort
- ☐ Habeas Corpus
- ☐ Injunction/Mandamus/Other Writ
- ☐ Landlord/Tenant
- ☐ Medical Malpractice Tort
- ☐ Product Liability Tort
- ☐ Real Property
- ☐ Restraining Petition
- ☒ Other General Civil

Domestic Relations Cases

- ☐ Adoption
- ☐ Dissolution/Divorce/Separate Maintenance
- ☐ Family Violence Petition
- ☐ Paternity/Legitimation
- ☐ Support - IV-D
- ☐ Support - Private (non-IV-D)
- ☐ Other Domestic Relations

Post-Judgment - Check One Case Type

- ☐ Contempt
- ☐ Non-payment of child support, medical support, or alimony
- ☐ Modification
- ☐ Other/Administrative

- ☒ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

21-C-06743-S6

Case Number

Case Number

- ☒ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

- ☐ Is an interpreter needed in this case? If so, provide the language(s) required. _____
Language(s) Required

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.

AFFIDAVIT OF SERVICE

State of Georgia

County of Gwinnett

State Court

Case Number: 23-c-03911-S6

Plaintiff:

Anitrice Anderson

vs.

Defendant:

Speedway LLC,

For:

Cameron Hawkins, Esq.

1231 Booth St Nw

Atlanta, GA 30318

Received by Platinum Process Servers on the 8th day of June, 2023 at 12:15 pm to be served on **Speedway LLC, Corporation Company, 106 Colony Park Drive Ste 800-b, Cumming, GA 30040-2794.**

I, Jason Garmon GA CPS #356, being duly sworn, depose and say that on the **9th day of June, 2023** at **1:00 pm**, I:

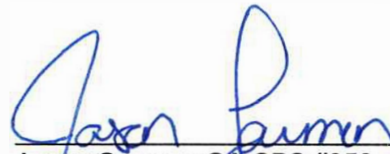
served a **REGISTERED AGENT** by delivering a true copy of the **Summons, Renewal Complaint for Damages and Demand for Jury Trial, General Civil and Domestic Relations Case Filing Information Form** with the date and hour of service endorsed thereon by me, to: **Dayvon Jackson as Registered Agent** at the address of: **Corporation Company, 106 Colony Park Drive Ste 800-b, Cumming, GA 30040-2794** on behalf of **Speedway LLC**, and informed said person of the contents therein, in compliance with state statutes.

Additional Information pertaining to this Service:

6/9/2023 1:00 pm Documents delivered into hands of Dayvon Jackson, intake.

~30 yo bm 5'8 175 black hair brown eyes no glasses.

Subscribed and Sworn to before me on the 11th day of June, 2023 by the affiant who is personally known to me.


NOTARY PUBLIC
Jason Garmon GA CPS #356
Process Server

Platinum Process Servers
4434 Hidden Oaks Drive
Flowery Branch, GA 30542
(239) 344-6997

Our Job Serial Number: PTU-2023000280